

40. (New) The varistor according to claim 39, further including tin barriers located on opposing ends of the nickel barrier caps.

41. (New) The varistor according to claim 40, wherein the zinc oxide layers have the following composition in mole percent: 94-98% zinc oxide and 2-6% of one or more of the following additives: bismuth oxide, cobalt oxide, manganese oxide, nickel oxide, antimony oxide, boric oxide, chromium oxide, silicon oxide and aluminum nitrate.

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REMARKS

Claim 36 is rejected as anticipated by the patent to Ravindranathan.

Reconsideration is solicited.

Ravindranathan discloses a varistor body with stacked zinc oxide semiconductor layers 24 with generally planar electrodes 26 between adjacent pairs of layers 24 and a zinc phosphate passivation layer 34 located on the exterior portions of the body. (See Fig. 1 and col. 3, lines 20-23)

Claim 36 recites a varistor having, amongst other features, a body in which the external surface of zinc oxide is "free of any passivation material". Thus, the varistor disclosed in Ravindranathan includes passivation material on the external surface. Claim 36 is thus free of the art and allowance is solicited.

Claims 36 and 37 are rejected as obvious over the patent to Utsumi et al. or Taira et al. in view of Sano et al. or Cobb. Reconsideration is solicited.

The Examiner admits that neither of the principal references disclose a nickel barrier and attempts to remedy this admitted deficiency with the secondary

references. However, both of the secondary references relate to capacitors and thus to different body materials, and the Examiner has failed to point out any teaching in either of the secondary references that nickel end caps which they disclose are appropriate for varistors. The Examiner also admits that the secondary references do not disclose the claimed thickness of the nickel barriers. In the absence of a teaching with respect to the application of the capacitor end caps of the secondary references to varistors, and in the absence of any disclosure as to the claimed thickness, the rejections must be withdrawn.

Note also that the claimed nickel barrier caps terminate **with naturally formed edges**. These naturally formed edges are the result of the process by which they are formed, i.e. by immersion in a desired solution and electroplating. The principal references fail to disclose the barrier, *a fortiori* the naturally formed edges or thickness claimed. Both of the secondary references teach an entirely different method of applying the barrier and thus do not teach either the naturally formed edges nor the thickness claimed.


The Examiner is improperly attempting the hindsight reconstruction of the claimed invention using teachings found only in the present application. Reconsideration and withdrawal of the rejections is solicited.

Dependent Claim 37 should be allowed with Claim 36 without recourse to the additional and patentable features recited therein.

The new claims are believed to be free of the art and the allowance thereof is solicited.

Respectfully submitted,

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